



Christine O. Gregoire

# ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

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November 12, 1998

Magalie R. Salas  
Secretary  
Federal Communications Commission  
1919 M Street NW, Room 222  
Washington, D.C. 20554

**RECEIVED**

**NOV 13 1998**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: CC Docket No. 98-170  
Notice of Proposed Rulemaking

Dear Ms. Salas:

Pursuant to the Federal Communications Commission's Public Notice in the above referenced proceeding, enclosed for filing are an original and four copies of the Notice of Proposed Rulemaking. We are also filing a disk with Anita Cheng in the Common Carrier Bureau, and with International Transcription Services, Inc.

Please contact Tom Wilson at (360)-664-1293, [tomw@wutc.wa.gov](mailto:tomw@wutc.wa.gov), if you have any questions about this filing.

Sincerely,

  
SHANNON E. SMITH  
Assistant Attorney General

GJT:kl  
Enclosure

cc: Anita Cheng  
International Transcription Services, Inc.

No. of Copies rec'd 014  
List ASCDE



In the Matter of  
Truth-In-Billing  
and  
Billing Format

[FCC 98-232]

NOV 13 1998

Comments of the WUTC Staff to Notice of Proposed Rulemaking  
CC Docket No. 98-170, FCC 98-232, November 12, 1998, Page 1

### Summary.

The WUTC Staff agrees entirely with the intent of the FCC in its Notice of Proposed Rulemaking (NPRM) in Docket No. 98-170. The WUTC Staff agrees that consumers are concerned about telephone bills that do not provide sufficient information in a user-friendly format. The experience of our consumer affairs section and the complaints they receive support this contention. The WUTC Staff further agrees that consumers have difficulty in identifying the services for which they are charged or the providers of those services. Many consumers complain to our state commission that they are unable to contact the provider using information provided on the bill. For these reasons, WUTC Staff supports the FCC's process to seek comment on how to ensure consumers receive thorough, accurate and understandable bills from their telecommunications carriers; and that requirements for clear billing extend to both local and interexchange service.

To this end, the WUTC Staff believes the FCC should require uniform, clear descriptions of similar charges among different service providers, including a clear explanation of how such charges are calculated if they are based on other than flat fees. Additionally, the FCC should require consistent design of bills among different service providers, including the physical placement of charges. For example:

- Section "A" must include local service charges;
- Section "B" must include intraLATA long distance charges;
- Section "C" must include interLATA long distance charges; and

- Section “D” must include ancillary charges, and so forth.

### **Discussion.**

We hereby offer comments referencing paragraph numbers in the Notice.

#### **Paragraph 10:**

The WUTC Staff agrees that telephone bills should contain a summary of any changes in the status of a consumer’s service, as well as a summary of the current status of a consumer’s services; that bills should contain full and non-misleading descriptions of all charges that appear therein and clear identification of the service provider responsible for each charge; and that bills should contain clear and conspicuous disclosure of any information that a consumer may need to make inquiries about the charges on the bills.

#### **Paragraphs 6 and 14:**

The WUTC Staff appreciates the FCC’s intent that any effort by the FCC to improve the content and format of telephone bills complement state efforts in this same area, and the FCC’s recognition that many states have in place, or are considering, requirements around billing formats.

**Paragraph 17:**

The WUTC Staff supports the suggestion that visual separation of different services would enhance a consumer's ability to distinguish among different services, service providers and charges (i.e., local, long distance and miscellaneous services). We believe that visual separation need not require that each set of charges be displayed on separate pages, because that could result in lengthy telephone bills that may prove as confusing as current formats. However, we believe that clear visual separation within continuous pages would allow consumers to better understand their telephone bills. We believe this can be accomplished by organizing the separation among different providers, with a clear description of the services and charges furnished by each provider, as well as a contact address and toll-free telephone number as described in our comments to paragraphs 33 and 34, below.

**Paragraph 18:**

Paragraph 18 suggests a separate page summarizing the current status of the customer's service, including information regarding: (1) the consumer's presubscribed interstate toll carrier; (2) the consumer's presubscribed intrastate toll carrier; (3) the consumer's presubscribed local exchange carrier; (4) any other service provider; and (5) any preferred carrier (PC) freezes or other blocking mechanisms. WUTC Staff agrees that this information is important.

**Paragraph 19:**

The WUTC Staff agrees that telephone bills should provide consumers with clear and conspicuous notification of any changes in their telephone services. This would include changes in presubscribed carriers, any new service providers, changes in any carrier or PC freeze, and any new types of line item charges appearing on the bill for the first time. Conspicuous notification would help consumers protect themselves against unauthorized changes in carriers and against the addition of unauthorized charges on telephone bills.

The WUTC Staff recommends that the FCC require full and complete explanations when carriers place information about universal service on customer bills. We recommend that carriers who choose to include any information about universal service on bills be required to give complete and accurate information that includes: (a) the amount of contribution from the carrier each month; (b) the amount the carrier receives from universal service each month; (c) the amount of support provided for a subscribed line in that customer's service area; and (d) a recurring statement of the amount of rate reduction ordered as a part of reforming universal service.

The information we recommend for inclusion in bills will make it possible for a customer to understand that universal service was reformed without ordered rate increases. This information will also provide customers in high-cost locations a context within which to

understand the benefits they derive from the fund.

**Paragraphs 20, 22, and 23:**

The WUTC Staff supports the intent that consumers be provided with full and non-misleading descriptions of all charges contained on their telephone bills, as well as clear identification of the service providers associated with those charges and a contact address and toll-free telephone number as described in our comments to paragraphs 33 and 34, below. To that end, the name, address and telephone number of the service provider should be conspicuously identified in association with that entity's charges; that the billing aggregator or clearinghouse alone is not sufficient for this purpose; and that resellers of facilities-based carriers be identified by the name of the reseller.

**Paragraphs 25 - 32:**

Paragraphs 25 through 32 address the recent addition by many interstate carriers of universal services fees or access fees on telephone bills. As the NPRM recognizes, consumer confusion about these recent charges is abundant. The WUTC consumer affairs section received numerous complaints and inquiries about charges as they were added to consumers' bills. Consumers did not understand the charges and many believed, from the contacts they had with the service provider or billing agent, that these were federally mandated charges. Additionally, it

was not clear at the outset how charges were calculated in many cases. The WUTC Staff believes the FCC should, to the extent possible, require uniform, clear descriptions of similar charges among different service providers, as well as a clear explanation of how such charges are calculated if they are based on other than flat fees. In the absence of the ability to require specific language, the FCC should offer “safe harbor” language which providers can use if they choose to, as suggested by the NPRM. Such clarity would help ease customer confusion about those type of charges, and allow state commissions to accurately respond to consumer inquiries in this area.

**Paragraphs 33 and 34:**

The WUTC experience supports the FCC’s suggestion that consumers often have difficulty contacting the entity whose charges appear on the telephone bill. Even when those consumers complain to our state commission, staff often is unable to locate an accurate, working telephone number or address at which to contact the appropriate entity. For this reason, we believe that the telephone bill must include, in addition to the name of each service provider, a business address and accurate, working toll-free telephone number for the receipt of consumer inquiries and complaints.

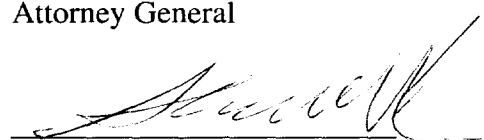


**Conclusion.**

The WUTC Staff appreciates the opportunity to comment on the NPRM in Docket 98-170, and looks forward to working with the FCC as it moves forward with this proceeding.

DATED this 12th day of November, 1998, at Olympia, Washington.

CHRISTINE O. GREGOIRE  
Attorney General

A handwritten signature in dark ink, appearing to read "Shannon E. Smith", is written over a horizontal line.

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